

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A.No. 11 of 2004

IN

O.A. NO. 826 OF 2003

New Delhi, this the 14th day of January, 2004

HON'BLE SHRI SHANKER RAJU, JUDICIAL MEMBER
HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

- 1.. Dr. S.K. Murti,
S/o Late Sh. Bhaskaranand,
working as Scientist-D in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Dehradun (Uttaranchal) and
R/o 265 Vasant Vihar, Phase-2,
Dehradun (Uttaranchal)
- 2.. Dr. J.R. Sharma,
S/o Sh. Jeet Ram Sharma,
working as Scientist-D in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Dehradun (Uttaranchal) and
R/o 192, Kaulagarh Road,
Dehradun (Uttaranchal)
- 3.. Dr. K.P. Singh,
S/o Late Sh. D.S. Singh,
working as Scientist-E in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Allahabad (UP) and
R/o 10, Chatham Lines,
Allahabad (UP)
- 4.. Dr. K.K. Khanna,
S/o Sh. J.N. Khanna,
working as Scientist-D in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Allahabad (UP) and
R/o 10, Chatham Lines,
Allahabad (UP)
- 5.. Dr. H.J. Chowdhery,
S/o Sh. K.C. Chowdhery,
working as Scientist-E IN
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Central National
Herbarium, Howrah and
R/o D-22, 2nd M.S. Hostel Building Nizam
Palace,
A.J.C. Bose Road,
Kolkata (W.B).
- 6.. Dr. S.L. Abbas,
S/o Late Sh. Syed Hassan Abbas,
working as Scientist-C in
Botanical Survey of India,

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Under M/o Environment & Forests and
presently posted at Shillong
(Meghalaya) and
R/o Lower New Colony, Laitumkhrah,
Shilong (Meghalaya).

- 7.. Dr. Anis Ahmed Ansari,
S/o Late Sh. Aziz A. Ansari,
working as Scientist-E in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Indian Botanic Garden,
Howrah and
R/o Botanic Garden, Sibpore,
Howrah (WB).
- 8.. Dr. H.S. Pandey,
S/o Late Sh. R.S. Pandey,
working as Scientist-C in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Indian Botanic Garden,
Howrah and R/o Botanic Garden, Sibpore,
Howrah (WB)
- 9.. Dr. S. Kumar,
S/o Late Sh. Shiv Charan Lal Govil,
working as Scientist-E in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Dehradun (Uttaranchal) and
R/o 192, Kaulagarh Road,
Dehradun (Uttaranchal)
- 10.. Dr. P. Daniel,
S/o Late Sh. G. Pitchai,
working as Scientist-E in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Coimbatore and
R/o T.N.A.U Campus, Lawley Road,
Coimbatore (Tamil Nadu)
- 11.. Dr. A.S. Chauhan,
S/o Late Sh. Raghuraj Singh,
working as Scientist-E in
Botanical Survey of India,
Under M/o Environment & Forests and
presently posted at Gangtok, Sikkim and
R/o Chief Justice Road,
Gangtok (Sikkim)
Dehradun (Uttaranchal)
Dehradun (Uttaranchal)

... Review Applicants.

Versus

- 1.. Union of India,
through Secretary,
M/o Environment and Forests,
Parayavaran Bhawan,
C.G.O. Complex,
Lodhi Road,
New Delhi-110001

CCB Singh

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2. Secretary,
M/o Personnel, Public Grievances &
Pensioner's Welfare,
Dept. of Personnel & Training (DOPT),
North Block,
New Delhi.

....Review Respondents

ORDER (BY CIRCULATION)

SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER:-

This review application under section 22(3)(f) of the Administrative Tribunals Act, 1985 has been filed seeking review of the Tribunal's order dated 3.12.2003 in OA No. 826/2003.

2. The relief claimed by the applicants in the OA was that they should be promoted in the year in which they had become eligible. This Tribunal by order dated 3.12.2003 had come to the conclusion that "Unless the applicants are so screened and found suitable, they could not be held eligible for holding the post to which they have been promoted from a date prior to the date of such DPC/selection". By the present review application, an attempt is made to reargue the entire case as if in appeal against the order dated 3.12.2003.

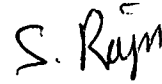
3. The scope of review under section 22(3)(f) of the Administrative Tribunals, Act, 1985 is limited to correction of errors which are plain and apparent. This has been so held by the Hon'ble Supreme Court in the case of Soubash Vs. State of Maharashtra & Ors. AIR 2002 SC 2537. In case, the review applicants were not satisfied with the order of this Tribunal, they would have taken recourse to the legal remedies available to them. The claims as made are not

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admissible by way of review of the order dated 3.12.2003. Therefore, this review application is rejected at the circulation stage.



(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER



(SHANKER RAJU)
JUDICIAL MEMBER

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